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Paper No. 9

OLIFF & BERRIDGE, PLC
SUITE 500
277 S. WASHINGTON ST.
ALEXANDRIA, VA 22314

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In re Application of
Natori
Application No. 09/819,688
Filed: 29 March, 2001
Attorney Docket No. 109120

JAN 11 2002

OFFICE OF PETITIONS

This is a decision on the petition filed on 12 October, 2001, and supplemented via FAX on 7 January, 2002, styled as "Request for Correction of PALM Records," and properly treated as a petition under 37 C.F.R. §1.53, requesting that the above-identified application be accorded a filing date of 29 March, 2001, and that a corrected filing receipt issue so stating.

The petition is **GRANTED**.¹

The application was deposited on 29 March, 2001, in a language other than English (Japanese) without either a translation and certification of translation accuracy or a signed oath/declaration, and acceptable drawings.

The Office mailed on 29 May, 2001, a Notice of Missing Parts (Filing Date Granted) requiring the filing of (a) the signed oath/declaration and (b) translation and certification, along with applicable fees.

On 19 July, 2001, Petitioner:

- responded with the signed oath/declaration, translation and certification, and applicable fees; and
- requested correction of the Inventor's residence.

It is noted that the Application Data Sheet submitted by Petitioner stated the Inventor's city and state of residence as "Suwa-shi" and "Nagano-ken," respectively--information in contrast to the statement in the Japanese Language Declaration which presents the Inventor's city and state of residence as "Chino-shi" and "Nagano-ken," respectively.

¹ No petition fee was charged upon filing and therefore no refund/credit is proper.

On 17 September, 2001, the Office mailed an "Updated Filing Receipt" reflecting the requested change in the inventor's listed city of residence, but indicating a filing date of 19 July, 2001.

As noted above, on 12 October, 2001, Petitioner requested a corrected filing receipt as to the filing date, requesting that the application be accorded a filing date of 29 March, 2001, and that a corrected filing receipt issue so stating.

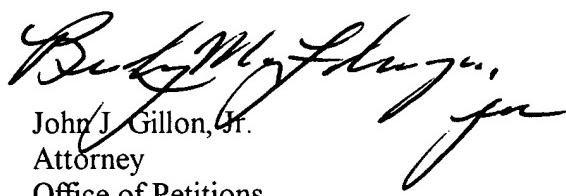
A review of the application papers reveals that the application in fact was filed and received in the Office on 29 March, 2001, and that the date-stamped (29 March, 2001) copy of the receipt card filed by Petitioner (in the 7 January, 2002, FAX supplement) and evidencing that filing date recites as received, *inter alia*: "app chk 117644 \$944, 16 pp Jap-lang spec/clms/abs 3 shts drwngs (figs1-3)[.]"

An intermediate processing error appears to have improperly changed the application filing date from 29 March, 2001, to 19 July, 2001. Therefore, the petition is granted to issue a corrected filing receipt reflecting a filing date of 29 March, 2001.

The application as filed on 29 March, 2001, will be considered by the examiner in due course.

The application is being returned to Initial Patent Examination Division for further processing with a filing date of 29 March, 2001, and with a direction to forward to Petitioner a copy of the corrected filing receipt reflecting a filing date of 29 March, 2001.

Telephone inquiries concerning this matter may be directed to John J. Gillon, Jr., Attorney, Office of Petitions, at (703)305-9199.



John J. Gillon, Jr.
Attorney
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy



Beverly M. Flanagan
Supervisory Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy